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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/623,934	07/21/2003	Naomasa Takahashi	09812.0369-00000	6473
22852	7590	05/19/2009		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER TRAN, TUYETLEEN T	
			ART UNIT	PAPER NUMBER
			2179	
			MAIL DATE	DELIVERY MODE
			05/19/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/623,934

Applicant(s)

TAKAHASHI, NAOMASA

Examiner

TUYETLIEN T. TRAN

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to the following communication: Amendment filed 03/19/09.

This action is made non-final.

2. Claims 1-9 are pending in the case. Claims 1, 5 and 7 are independent claims.

Continued Examination Under 37 CFR 1.114

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/19/09 has been entered.

Claim Objections

4. Claims 1, 5, 7 are objected to because the first occurrence of the term XML and SMIL of the claims should be spelled to "extensible markup language (XML)" and "synchronized multimedia integration language (SMIL)", respectively. Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 3-4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Santoro (Patent No. US 6724403 B1; hereinafter Santoro) in view of Mizutome et al (Pub. No. US 2002/0078447 A1; hereinafter Mizutome) further in view of Kusama et al. (Pub. No. US 2005/0165848 A1; hereinafter Kusama).

As to claim 1, Santoro teaches:

An electronic equipment (e.g., see Fig. 2) comprising:

a display unit including a display screen (e.g., Fig. 2; display 110);

a plurality of interfaces for inputting visual media information from a plurality of external sources (e.g., see Fig. 2 and col. 4 lines 34-54; ports 108-1-108-N);

script text acquisition means for acquiring a plurality of script texts (e.g., the grids are defined as a document created in a markup language such as HTML, SGML or XML that are used to present simultaneous information content from a plurality of sources, see col. 10 lines 41-67, col. 13 lines 31-51; note the grids can be acquired from a server) containing at least a media element identification of the visual media information to be input from one of the interfaces (e.g., see Figs. 5, 6 and col. 10 lines 41-67), an external source information of the media element (e.g., see Figs. 5, 6 and col. 10 lines 41-67), a display layout of said media element on said display screen (e.g., see Figs. 8-12), and an indication of a type of equipment connected to at least one of the plurality of interfaces (e.g., see Figs. 5, 6 and col. 9 lines 57-67 through col. 10 lines 1-10, col. 10 lines 41-67);

a script text storage unit for storing the plurality of script texts taken in by said script text acquisition means (e.g., see col. 12 lines 66-67 through col. 13 1-6, col. 13 lines 44-51 and Fig. 16);

script text selection means for selecting a layout from the plurality of script texts (e.g., see col. 13 lines 29-67 through col. 14 lines 1-24);

an interface selection means for identifying the external source of the media element based on the external source information contained in the layout selected by the layout selection means and selecting one of the plurality of interfaces corresponding to the identified external source to input the media element (e.g., see Figs. 1, 7-10; col. 10 lines 39-67); and

script process means for displaying the media element on the display screen in accordance with the display layout contained in the script text selected by the script text selection means (e.g., see Figs. 1, 7-10; col. 10 lines 39-67).

Although Santoro teaches the capability for the user to configure, download and update the layout on the fly (e.g., see col. 13 lines 28-31, lines 43-51, col. 14 lines 16-24), Santoro does not expressly teach script text presenting means for presenting layout options based on the plurality of script texts.

In the same field of endeavor of presenting plurality of information from a plurality of external sources (e.g., see Mizutome Fig. 1), Mizutome teaches an electronic equipment comprising a display unit and a plurality of interfaces for inputting media information from a plurality of external sources similar to that of Santoro (e.g., see Mizutome Fig. 1; display 114, interfaces 1A-1C, 117a, 117b as shown in Fig. 1). Mizutome teaches the equipment can process information in markup language such as XML (e.g., see [0078]). Specifically, Mizutome teaches the equipment comprises a layout presenting means for presenting layout options based on the plurality of layouts (e.g., see Fig. 5, 13-15 and [0081], [0087], [0098], [0103]).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the electronic equipment as taught in Santoro to include the feature of presenting layout options based on the plurality of layouts as taught by Mizutome to be able to achieve the system that is able to provide the user options to select a preferred layout

as claimed. One would have been motivated to make such a combination is to enhance video entertainment (e.g., see Mizutome [0010]).

Santoro further discloses cuts and divides the selected script text into a part defining the layout of the display and a part defining the display of the visual media information when the selected script text is an SMIL text (e.g., the grid configuration file is in markup languages such as HTML, SGML, XML; thus, the display device is parsing the XML tags; note XML is a form of XML format).

However, Santoro and Mizutome do not teach wherein the script text acquisition means determines whether the selected script text in an XML text or an SMIL text, performs an error process if the selected script text is not an XML text or an SMIL text.

In the same field of XML format, Kusama teaches determines whether the selected script text in an XML text or an SMIL text, performs an error process if the selected script text is not an XML text or an SMIL text (e.g., see [0067], [0093], [0123]; where XML data error is displayed if it is determined that XML file is not XML data format).

Accordingly, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have modified the script text acquisition means of Santoro and further modified by Mizutome to include the script text determination feature as suggested by Kusama to achieve the claimed invention. One would be motivated to make such a combination is to be able to take more appropriate steps toward rendering the layout script text; thus, save time to process data.

As to claim 3, Santoro teaches selecting a desired script text and takes in said script text from a server for presenting said script text through a network (e.g., see col. 13 lines 43-51 and col. 22 lines 1-21).

As to claim 4, Santoro further teaches wherein the script text acquisition means selects a desired script text and takes in the script text from a detachably mountable storage medium which records the script text (e.g., see col. 5 lines 14-22).

As to claim 9, Santoro teaches at least one of the plurality of script texts is customized based on a characteristic of the electronic equipment (e.g., see col. 22 lines 1-50).

7. Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Santoro in view of Kusama.

As to claims 5 and 7, Santoro teaches:

A server and a distribution method of layout script text (e.g., see Fig. 24) comprising:
a script text acquisition means for storing a plurality of script texts (e.g., see Fig. 24 and col. 13 lines 44-51; wherein preconfigured grids can be downloaded from the predetermined server; wherein the grids are defined as a document created in a markup language such as HTML, SGML or XML that are used to present simultaneous information content from a plurality of sources, see col. 10 lines 41-67, col. 13 lines 31-51; note the grids can be acquired from a server), containing at least a media element identification of visual media information to be input into an electronic equipment from one of a plurality of interfaces (e.g., see Figs. 5, 6 and col. 10 lines 41-67), an external source information of the media element (e.g., see Figs. 5, 6 and col. 10 lines 41-67), a display layout of said media element on said display screen (e.g., see Figs. 8-12), and an indication of a type of equipment connected to at least one of the plurality of interfaces (e.g., see Figs. 5, 6 and col. 9 lines 57-67 through col. 10 lines 1-10, col. 10 lines 41-67);

a recognition means for recognizing a characteristic of the electronic equipment (e.g., see Figs. 24-26, col. 22 lines 1-37);

a script text customizing means for customizing at least one of the plurality of script texts according to the characteristic of the electronic equipment (e.g., see Figs. 24-26, col. 22 lines 1-37); and

script text distribution means for reading a corresponding script text from the script text storage unit and distributing the customized script text to said electronic equipment through a network in response to a request from the electronic equipment as a client (e.g., see Figs. 24-26, col. 22 lines 1-37),

wherein the media element is input by one of said plurality of interfaces corresponding to said external source information at the electronic equipment (e.g., see Figs. 1, 2 and col. 4 lines 34-54; ports 108-1-108-N).

Santoro further discloses cuts and divides the selected script text into a part defining the layout of the display and a part defining the display of the visual media information when the selected script text is an SMIL text (e.g., the grid configuration file is in markup languages such as HTML, SGML, XML; thus, the display device is parsing the XML tags; note XML is a form of XML format).

Santoro does not teach wherein the script text acquisition means determines whether the selected script text in an XML text or an SMIL text, performs an error process if the selected script text is not an XML text or an SMIL text.

In the same field of XML format, Kusama teaches determines whether the selected script text in an XML text or an SMIL text, performs an error process if the selected script text is not an XML text or an SMIL text (e.g., see [0067], [0093], [0123]; where XML data error is displayed if it is determined that XML file is not XML data format).

Accordingly, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have modified the script text acquisition means of Santoro to include the script text determination feature as suggested by Kusama to achieve the claimed invention. One would be motivated to make such a combination is to be able to take more appropriate steps toward rendering the layout script text; thus, save time to process data.

As to claims 6 and 8, Santoro teaches the characteristic of the electronic equipment comprises at least one of display size information and interface information (e.g., the interface information such as set-top box or personal computer or incoming bandwidth, see col. 22 lines 17-50).

8. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Santoro, Mizutome and Kusama as applied to claim 1 and further in view of Escobar et al (WO 01/39494 A1; hereinafter Escobar).

As to claim 2, Santoro, Mizutome and Kusama teach the limitations of claim 1 for the same reasons as set forth in the rejection of claim 1 above. Santoro teaches the feature of receiving and displaying inputs from multiple broadcast channels and the feature of configuring the grid to display the channels of choice (e.g., col. 11 lines 15-32, col. 12 lines 50-65; col. 13 lines 54-67 through col. 14 lines 1-25). Therefore, it appears that Santoro teaches the features of inputting visual media information different from each other through a plurality of channels and including in the script text (e.g., the grid) information for defining the interface for inputting the media element and a channel of the interface. Even if it does not, implementing the limitations of the plurality of interfaces include a function of inputting visual media information different from each other through a plurality of channels and the script text includes information

for defining said interface for inputting said media element and a channel of said interface (e.g., see Figs. 6A-7D and pages 7, 8). Accordingly, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to modify the electronic equipment as taught by Santoro, Mizutome and Kusama to include the feature of virtual channels as taught by Escobar to achieve the claimed invention. One would have been motivated to make such a combination is to eliminate the need for viewers to distinguish between web content and TV content (e.g., see Escobar page 4, third paragraph).

Response to Arguments

9. Applicant's remarks filed 03/19/09 have been fully considered but they are moot in view of new ground of rejection.

Conclusion

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action.

It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TuyetLien (Lien) T. Tran whose telephone number is 571-270-1033. The examiner can normally be reached on Mon-Friday: 7:30 - 5:00, off on alternating Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. T. T./
Examiner, Art Unit 2179

/Weilun Lo/
Supervisory Patent Examiner, Art Unit 2179